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10 Attorneys for Plaintiffs, Operating Engineers'
11 Health And Welfare Trust Fund for Northern California, et al.

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13 UNITED STATES DISTRICT COURT

14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15
16 OPERATING ENGINEERS' HEALTH AND
17 WELFARE TRUST FUND FOR NORTHERN
18 CALIFORNIA, et al.,

19 Plaintiffs,

20 v.

21 SCAFANI ENGINEERING & CONSTRUCTION,
22 INC., a California Corporation; and THOMAS JAMES
23 SCAFANI, an individual,

24 Defendants.

25 Case No.: 4:19-cv-07548-HSG

26 **JOINT REQUEST TO CONTINUE
27 CASE MANAGEMENT
28 CONFERENCE; ORDER THEREON**

29 Date: February 25, 2020

30 Time: 2:00 p.m.

31 Ctrm: 2, 4th Floor,
32 1301 Clay Street
33 Oakland, California

34 Judge: Hon. Haywood S. Gilliam, Jr.

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36 The Parties to this action respectfully request that the Case Management Conference, currently
37 on calendar for February 25, 2020, be continued for approximately sixty (60) to ninety (90) days. Good
38 cause exists for the granting of the continuance, as follows:

39 1. This action was filed on November 18, 2019 (Dkt. #1) arising out of Defendants Scafani
40 Engineering & Construction, Inc. and Thomas James Scafani's failure to comply with Plaintiffs' request
41 for a payroll audit for the period from January 1, 2013 through December 31, 2017.

42 2. Defendants filed their Answer to the Complaint on December 23, 2019 (Dkt. #13).

43 3. The Parties had their initial meet and confer telephone conferences pursuant to Federal
44 Rules of Civil Procedure, Rule 26(f) and ADR Local Rule 3-5. Defendants contend that they did not
45 receive the audit requests prior to the commencement of the lawsuit, and are now complying. It is

understood that the requested audit will be conducted on February 21, 2020.

4. There are no issues that need to be addressed by the parties at the currently scheduled Case Management Conference. In the interest of conserving costs as well as the Court's time and resources, the parties jointly request that the Court continue the Case Management Conference set for February 25, 2020 for approximately sixty (60) to ninety (90) days to permit sufficient time for the audit to be conducted and finalized, and for the parties to attempt to resolve their disputes.

Respectfully submitted,

DATED: February 17, 2020

SALTZMAN & JOHNSON LAW CORPORATION

By: /s/ Tino X. Do
Tino X. Do
Attorneys for Plaintiffs

DATED: February 17, 2020

SIMPSON, GARRITY, INNES & JACUZZI

By: /s/ Paul V. Simpson
Paul V. Simpson
Attorneys for Defendants

IT IS SO ORDERED.

The currently set Case Management Conference is hereby continued to April 28, 2020 at 2:00 p.m., and all previously set deadlines and dates related to this case are continued accordingly.

DATED: 2/18/2020

Haywood S. Gill Jr.
U.S. DISTRICT COURT JUDGE
HAYWOOD S. GILLIAM JR.